



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD  
OCTOBER 21, 2019**

1. Call to Order – 6:00 p.m. – Council Chambers
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem John Marriott, Councilmember Bob Fifer, Councilmember Nancy Ford, Councilmember David Jones, Councilmember Mark McGoff

Councilmember Jones moved to Excuse Councilmember Miller from the meeting.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

Also present were: Lorie Gillis, Deputy City Manager; Rachel Morris, City Attorney; Bryan Archer, Director of Finance; Don Wick, Director of Public Works; Sharon Israel, Director of Utilities; Ryan Stachelski, Director of Community and Economic Development; Link Strate, Police Chief; Ben Irwin, Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes of the October 7, 2019, City Council Meeting

The minutes stand approved as amended.

5. Recognitions and Communications

- A. Recognition of American Legion Post #161 Auxiliary 100th Anniversary presented by Mayor Pro Tem Marriott

Mayor Pro Tem Marriott said that the American Legion Auxiliary National Organization will celebrate its 100th Anniversary on November 10th. Arvada's Wilmore-Richter Unit 161 was chartered on May 11, 1929 and through the years it has contributed to the community in many ways.

Members of Arvada's Wilmore-Richter Post 161 Auxiliary were present to accept the certificate honoring the American Legion Auxiliary's centennial celebration.

- B. Presentation of a Great Places Colorado Award for Olde Town Arvada to the City of Arvada by the Colorado Chapter of the American Planning Association

Members of the Colorado Chapter of the American Planning Association (APA) presented City Council a Great Neighborhood in Colorado award for Olde Town Arvada. This is the first year the state chapter has offered this program recognizing places as an APA Great Place in Colorado. The purpose is to recognize and honor the dedication to sound planning helps make these Great Places

what they are today. A City team, which included a cross-section of employees from several departments, nominated Olde Town Arvada in the Great Neighborhood category.

C. Recognition of Council Member Mark McGoff by the Colorado State Senate and House of Representatives

Senator Rachel Zenzinger, Representative Tracy Kraft-Tharp and Representative Brianna Titone were present to recognize Arvada City Council member Mark McGoff and said he was elected to the Arvada City Council in 2007, 2011, and 2015. As the representative of District 2, Mark has served Arvada through his passion for the preservation of our historic neighborhoods, the continued vitality of Olde Town, and the completion and opening of the Gold Line in 2019. Mark has served as the Council representative to RTD Local Governments Team, Adams County Economic Development Association, Arvada Municipal Court/Judicial Committee, Rocky Flats Stewardship Council, and Jefferson County Community Corrections Board.

Prior to his council service, Mark served our community as a board member of Ralston House, Arvada Historical Society, Jefferson County Historical Commission, Jefferson County Cultural Commission, Arvada Center for the Arts and Humanities, Colorado Endowment for the Humanities, and the Governor's Council for Physical Fitness. Mark has been a strong advocate for Arvada's parks and trails system, and he has introduced residents to various areas of the community by conducting hikes throughout the year.

Mark was honored as Arvada's Man of the Year by the Chamber of Commerce in 2006 and subsequently served for five years as chair of the selection committee for Man and Woman of the Year. He was also on the selection committee for Arvada Profiles: Stories of the People Who Most Influenced Our First 100 Years.

In recognition of Mark's service, the Colorado State Senate and House of Representatives, through the collaboration of Senator Rachel Zenzinger, Representative Tracy Kraft-Tharp and Representative Brianna Titone, extend their congratulations and commendations for twelve years of service as a member of the Arvada City Council as well as his many other contributions to the Arvada community.

6. Public Comment –

A. Scott Day, Arvada Resident, addressed council regarding the 2019 Arvada Citizen Survey

7. New Business

A. Consent Agenda

1. R19-092 A Resolution Adopting the Amended Administrative Fee Schedule for Building Safety Division Permits and Services Pursuant to Chapter 18, Buildings and Building Regulations of the Arvada City Code
2. R19-093 A Resolution Adopting the Amended Permits Fee Schedule for Rights-of-Way Work Permits and Services Pursuant to Chapter 78, Public Improvements, of the Arvada City Code
3. R19-094 A Resolution Approving, in Content, the Arvada Urban Renewal Authority (AURA) Budget for Fiscal Year 2020
4. R19-095 A Resolution Authorizing the Submission of a 2019 Great Outdoors Colorado Grant Application for the City of Arvada,

- Arvada Center for the Arts and Humanities Sculpture Park Project
5. R19-096 A Resolution Authorizing a Fourth Amendment to the Agreement by and between the City of Arvada and Muller Engineering Company, Inc. for Engineering Services for the Intersection of W. 72nd Avenue and Indiana Street and the W. 72nd Avenue and the Union Pacific Railroad Grade Separation, Project No. 13-ST-24 and 13-ST-25, in the Amount of \$26,771.00 for Additional Engineering Services Project No. 18-ST-30
  6. R19-097 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$150,000.00 to GMCO Corporation for the Purchase of Liquid Deicer Material for 2019
  7. R19-098 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$150,000.00 to Central Salt for the Purchase of Salt Material for 2019
  8. R19-099 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$260,000.00 to Saltworx, LLC for the Purchase of Salt Material for 2019

Mayor Pro Tem Marriott moved that R19-092, A Resolution Adopting the Amended Administrative Fee Schedule for Building Safety Division Permits and Services Pursuant to Chapter 18, Buildings and Building Regulations of the Arvada City Code; R19-093, A Resolution Adopting the Amended Permits Fee Schedule for Rights-of-Way Work Permits and Services Pursuant to Chapter 78, Public Improvements, of the Arvada City Code; R19-094, A Resolution Approving, in Content, the Arvada Urban Renewal Authority (AURA) Budget for Fiscal Year 2020; R19-095, A Resolution Authorizing the Submission of a 2019 Great Outdoors Colorado Grant Application for the City of Arvada, Arvada Center for the Arts and Humanities Sculpture Park Project; R19-096, A Resolution Authorizing a Fourth Amendment to the Agreement by and between the City of Arvada and Muller Engineering Company, Inc. for Engineering Services for the Intersection of W. 72nd Avenue and Indiana Street and the W. 72nd Avenue and the Union Pacific Railroad Grade Separation, Project No. 13-ST-24 and 13-ST-25, in the Amount of \$26,771.00 for Additional Engineering Services Project No. 18-ST-30; R19-097, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$150,000.00 to GMCO Corporation for the Purchase of Liquid Deicer Material for 2019; R19-098, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$150,000.00 to Central Salt for the Purchase of Salt Material for 2019; R19-099, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$260,000.00 to Saltworx, LLC for the Purchase of Salt Material for 2019, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

B. Resolutions

1. R19-100 A Resolution Authorizing an Intergovernmental Agreement Titled "Memorandum of Understanding Between the City of Arvada, Colorado and Red Rocks Community College" for Police Recruit Training Over a Period of Three Years

Lorie Gillis, Deputy City Manager, reviewed this resolution with council.

Councilmember Fifer moved that R19-100, A Resolution Authorizing an Intergovernmental Agreement Titled "Memorandum of Understanding Between the City of Arvada, Colorado and Red Rocks Community College" for Police Recruit Training Over a Period of Three Years, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

2. R19-101 A Resolution Amending Section 14 of the Cooperative Agreement Between the City of Arvada and the Non-Profit Arvada Center for the Arts and Humanities to Set a Date Certain for the Transfer of the Banquet Facilities from the City to the Non-Profit No Later Than July 1, 2021

Lorie Gillis, Deputy City Manager, reviewed this resolution with council.

Councilmember Ford moved that R19-101, A Resolution Amending Section 14 of the Cooperative Agreement Between the City of Arvada and the Non-Profit Arvada Center for the Arts and Humanities to Set a Date Certain for the Transfer of the Banquet Facilities from the City to the Non-Profit No Later Than July 1, 2021, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

8. Public Hearings

- A. CB19-038 An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates (Ordinance No. 4709)
- B. CB19-039 An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates (Ordinance No. 4710)

Mayor Williams opened the public hearing on CB19-038 and CB19-039.

Lorie Gillis, Deputy City Manager, reviewed these ordinances with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Ford moved that CB19-038, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates, be approved on final reading and numbered 4709 and published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

Councilmember Ford moved that CB19-039, An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates, be approved on final reading and numbered 4710 and published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

- C.      CB19-040      An Ordinance Repealing and Reenacting Section 74-31, Land-Use Fees, of Article II, Community Development Department Service Fees, of Chapter 74, Planning and Development, of the Arvada City Code (Ordinance No. 4711)

Mayor Williams opened the public hearing on CB19-040.

Lorie Gillis, Deputy City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Marriott moved that CB19-040, An Ordinance Repealing and Reenacting Section 74-31, Land-Use Fees, of Article II, Community Development Department Service Fees, of Chapter 74, Planning and Development, of the Arvada City Code, be approved on final reading, numbered 4711 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

- D.      CB19-041      An Ordinance Amending Section 26-3 of Chapter 26, Civil Emergency, Emergency, or Local Disaster, of the Arvada City Code (Ordinance No. 4712)

Mayor Williams opened the public hearing on CB19-041.

Lorie Gillis, Deputy City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Jones moved that CB19-041, An Ordinance Amending Section 26-3 of Chapter 26, Civil Emergency, Emergency, or Local Disaster, of the Arvada City Code, be approved on final reading, numbered 4712 and ordered published in full.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

- E. CB19-042 An Ordinance Certifying the City of Arvada Mill Levy for 2019 for the Board of County Commissioners for Jefferson and Adams Counties (Ordinance No. 4713)

Mayor Williams opened the public hearing on CB19-042.

Lorie Gillis, Deputy City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Jones moved that CB19-042, An Ordinance Certifying the City of Arvada Mill Levy for 2019 for the Board of County Commissioners for Jefferson and Adams Counties, be approved on final reading, numbered 4713 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

- F. CB19-043 An Ordinance Appropriating Funds for Fiscal Year 2020 (Ordinance No. 4714)
1. R19-102 A Resolution Adopting the Budget for Fiscal Year 2020
  2. R19-103 A Resolution Adopting the 2020 Capital Improvement Fund Budget and Allocating for Specific Projects in 2020
  3. R19-104 A Resolution Adopting the Pay Plan For Fiscal Year 2020

Mayor Williams opened the public hearings on CB19-043, R19-102, R19-103 and R19-104.

Lorie Gillis, Deputy City Manager, reviewed this ordinance and resolutions with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember McGoff moved that CB19-043, An Ordinance Appropriating Funds for Fiscal Year 2020, be approved on final reading, numbered 4714 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller  
The Motion was Approved

Councilmember McGoff moved that R19-102, A Resolution Adopting the Budget for Fiscal Year 2020, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff  
Those Absent: Miller

The Motion was Approved

Councilmember McGoff moved that R19-103, A Resolution Adopting the 2020 Capital Improvement Fund Budget and Allocating for Specific Projects in 2020, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

Councilmember McGoff moved that R19-104, A Resolution Adopting the Pay Plan For Fiscal Year 2020, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Approved

- G.      CB19-044      An Ordinance Amending Chapter 98, Taxation, by Amending Subsection 98-66(1)e and Section 98-243, Repealing Section 5.3.3.H.(2) of the Land Development Code, Article 5, Use Regulations, and Adding a New Article 5.5 to the Land Development Code, Article 5, Use Regulations, of the Arvada City Code to Allow for the Licensing and Taxation of Short Term Rental of a Dwelling, Dwelling Unit or Accessory Dwelling Unit, Residential (Ordinance No. 4715)

Mayor Williams opened the public hearing on CB19-044.

Rob Smetana, Planning Manager, reviewed this ordinance with council.

Sworn Testimony:      Phillip Garnhart, Arvada resident, against the issue  
Michael Martinez-Schiferl, Arvada resident, against the issue  
Nancy Young, Arvada resident, against the issue as written  
John Putnik, Arvada resident, against the issue  
Mindy Mohr, Arvada resident, against the issue  
Ross Hoogerhyde, Arvada resident, for the issue  
Sevve Stember, Arvada resident, for the issue  
Simon Waskins, Arvada resident, for the issue  
Christine Jensen, Arvada resident, for the issue

Did not speak but asked that their name be entered into the record:

George Bethel, Arvada resident, for the issue

Robert Thomas, Arvada resident, for the issue

Allison Earnest, Arvada resident, for the issue

Mayor Pro Tem Marriott moved that CB19-044, An Ordinance Amending Chapter 98, Taxation, by Amending Subsection 98-66(1)e and Section 98-243, Repealing Section 5.3.3.H.(2) of the Land Development Code, Article 5, Use Regulations, and Adding a New Article 5.5 to the Land Development Code, Article 5, Use Regulations, of the Arvada City Code to Allow for the

Licensing and Taxation of Short Term Rental of a Dwelling, Dwelling Unit or Accessory Dwelling Unit, Residential, be approved on final reading, numbered 4715, and ordered published in full.

Mayor Williams moved to make a Friendly Amendment to include the Planning Commission recommendation of the residency requirement be added to the motion.

Mayor Pro Tem Marriott did not accept the friendly amendment.

Mayor Williams withdrew his motion to make a new motion.

Mayor Williams moved to adopt the Planning Commission recommendation of residency requirement with the exception of the Utility Bill being sufficient to show residency.

Council voted on Mayor Williams' motion regarding the Planning Commission recommendation excluding the Utility Bill requirement.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Ford

Those voting No: Marriott, Jones, McGoff

Those Absent: Miller

The Motion was Failed

Mayor Williams moved to prohibit the use of outdoor Marijuana in short term rentals.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer

Those voting No: Marriott, Ford, Jones, McGoff

Those Absent: Miller

The Motion was Failed

The following votes were cast on the Main Motion:

Those voting Yes: Williams, Fifer, Ford

Those voting No: Marriott, Jones, McGoff

Those Absent: Miller

The Motion was Failed

H. Ralston Creek Townhomes Preliminary Development Plan, Generally Located at 9447 West 58th Place and 9543 Ralston Road

I. Ralston Creek Townhomes Preliminary Plat, Generally Located at 9447 West 58th Place and 9543 Ralston Road

Mayor Williams opened the public hearing on Ralston Creek Townhomes Preliminary Development Plan and Ralston Creek Townhomes Preliminary Plat.

Rob Smetana, Planning Manager, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Mayor Williams swore those in wishing to speak.



Sworn Testimony: Tyler Jones, Representing Applicant

Mayor Williams closed the public comment portion of the public hearing.

Mayor Pro Tem Marriott moved that Ralston Creek Townhomes Preliminary Development Plan, Generally Located at 9447 West 58th Place and 9543 Ralston Road, be approved subject to the attached updated conditions of approval. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Jones, McGoff

Those voting No: Fifer, Ford

Those Absent: Miller

The Motion was Approved

Mayor Pro Tem Marriott moved that Ralston Creek Townhomes Preliminary Plat, Generally Located at 9447 West 58th Place and 9543 Ralston Road, be approved subject to the attached updated conditions of approval. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Jones, McGoff

Those voting No: Fifer, Ford

Those Absent: Miller

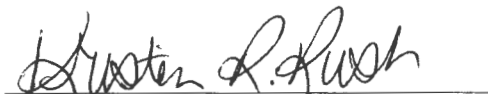
The Motion was Approved

9. Public Comment - Five Minute Limit – none
10. City Council Reports –
  - A. Mayor Williams noted the passing of Lois Linstrom and Bob Wilson.
  - B. Mayor Pro Tem Marriott noted the passing of a St. Anne’s student.
  - C. Councilmember McGoff said there would be a ceremony at Two Ponds National Wildlife Refuge to honor the veterans of 20<sup>th</sup> Century Wars.
11. City Manager Reports –
  - A. Mark Deven, City Manager, reviewed the upcoming workshop schedule with council.
12. City Attorney Reports – none
13. Adjournment at 9:00 p.m.



Marc Williams, Mayor

SEAL:



Kristen R. Rush, City Clerk

